

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/16/07

(CHIN)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEAN-PAUL FOUCHECOURT,

Civil Action No.: 07 Civ. 3778

Plaintiff,

-against-

STIPULATION OF DISMISSAL  
WITH PREJUDICE

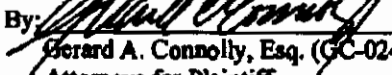
METROPOLITAN OPERA ASSOCIATION, INC., FRANCO  
ZEFFIRELLI & HARTFORD FIRE INSURANCE COMPANY,

Defendants.


IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the Plaintiff, Jean-Paul Fouchecourt ("Plaintiff") and counsel for the Defendant, Hartford Fire Insurance Company ("Hartford" or "Defendant"), that pursuant to Fed. R. Civ. Proc. 41(a)(1), all claims by plaintiff as against Hartford in this action are dismissed with prejudice. Plaintiff's coverage rights under any insurance policy issued by Hartford shall not be affected by the discontinuance of any claims herein. Plaintiff and Hartford shall each bear their own costs, disbursements and counsel fees associated with the prosecution and/or defense of this action.

Dated: Uniondale, New York  
October 3, 2007

BUDIN REISMAN KUPFERBERG  
& BERNSTEIN, LLP

By:   
Gerard A. Connolly, Esq. (GC-0247)  
Attorneys for Plaintiff  
112 Madison Avenue  
New York, New York 10016-7416  
(212) 696-5500

RIVKIN RADLER, LLP

By:   
Michael A. Troisi, Esq. (MT-2002)  
Attorneys for Defendant HARTFORD  
926 Rexcort Plaza  
Uniondale, New York 11556-0926  
(516) 357-3158

So Ordered:

  
The Honorable Denny Chin

2077544 v1

10/16/07